

regarding the complimentary services and items to authorize the distribution and use of complimentary chips.

The experiment for the new promotional gaming chips will be conducted in accordance with temporary rule amendments and new rules, which shall be available in each participating casino and shall also be available from the Division upon request.

This experiment could begin on or after May 28, 2018, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating casino licensees prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary amendments and new rules prove successful in the judgment of the Division, the Division will propose them for final adoption in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.

(a)

DIVISION OF GAMING ENFORCEMENT

Rules of the Game

Blackjack

Blazing 7's Progressive Wager

Temporary Adopted New Rule: N.J.A.C. 13:69F-2.28

Temporary Adopted Amendments: N.J.A.C. 13:69E-1.10 and 13:69F-2.2, 2.3, 2.6, 2.9, and 2.11

Authority: N.J.S.A. 5:12-69.a, 69.e, 70.a(7), 76.g, and 100.e.

Take notice that the Division of Gaming Enforcement shall, pursuant to N.J.S.A. 5:12-69e, adopt a new temporary rule and temporary amendments regarding the rules of the games to authorize the new wager "Blazing 7's Progressive Wager" in the game of blackjack.

The experiment for the new blackjack wager will be conducted in accordance with temporary rule amendments and new rule, which shall be available in each participating casino and shall also be available from the Division upon request.

This experiment could begin on or after May 28, 2018, and continue for a maximum of 270 days from that date, unless otherwise terminated by the Division or any of the participating casino licensees prior to that time, pursuant to the terms and conditions of the experiment.

Should the temporary amendments and new rule prove successful in the judgment of the Division, the Division will propose them for final adoption in accordance with the public notice and comment requirements of the Administrative Procedure Act and N.J.A.C. 1:30.

TRANSPORTATION

(b)

MOTOR VEHICLE COMMISSION

Compliance and Safety

Readoption with Amendments: N.J.A.C. 13:19-1 through 9 and 11

Proposed: December 4, 2017, at 49 N.J.R. 3659(a).

Adopted: April 10, 2018, by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Filed: April 26, 2018, as R.2018 d.119, **without change**.

Authority: N.J.S.A. 17:29A-35, 39:2-3, 39:2A-28, 39:3-10, 39:3-10.4, 39:3-11, 39:3-15, 39:3-15.1, 39:3-16, 39:4-50, 39:4-50.16 et seq., 39:5-30, 39:5D-4, and 39:5F-1 et seq.

Effective Dates: April 26, 2018, Readoption;
May 21, 2018, Amendments.

Expiration Date: April 26, 2025.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Analysis

In compliance with Executive Order No. 27 (1994), Requirement for Statement Concerning Federal Standards in State Agency Rulemaking, notice is hereby given that the rules readopted with amendments pertaining to the installation of an ignition interlock device meet but do not exceed Federal standards.

Specifically, N.J.A.C. 13:19-6.3 adopts and incorporates by reference the NHTSA Model Specifications for the use of BAIIDS, thereby meeting, but not exceeding the Federal standards.

A Federal standards analysis is not required for the remainder of the rules readopted with amendments or the other adopted amendments because the subject matter of those rules is governed by State law and is not subject to any Federal requirements or standards.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:19-1 through 9 and 11.

Full text of the adopted amendments follows:

SUBCHAPTER 6. INSTALLATION AND USE OF IGNITION INTERLOCK DEVICES

13:19-6.4 Requirements for use of BAIIDS installed to meet sentencing requirements

(a) In order to have a driver license restored, an offender required by the court to have a BAIID installed as part of a sentence imposed under N.J.S.A. 39:4-50 and 39:4-50.17 shall have installed, in the motor vehicle principally operated by the offender during and following the expiration of the period of license suspension imposed, a BAIID that has been certified by the Chief Administrator under N.J.A.C. 13:19-6.7, and for the duration of the court's order, an offender shall drive no vehicle other than one in which an interlock device has been installed pursuant to the order.

(b)-(d) (No change.)

13:19-6.11 Service center requirements

(a) (No change.)

(b) Each service center shall:

1.-2. (No change.)

3. Display in a place visible to BAIID customers a sign or certificate provided by the Commission that states "New Jersey Approved Ignition Interlock Service Center";

4.-17. (No change.)

(c) (No change.)

(c)

MOTOR VEHICLE COMMISSION

Licensing Service

Adopted Amendments: N.J.A.C. 13:21-7.3, 8.7, 8.8, and 8.15

Proposed: December 4, 2017, at 49 N.J.R. 3663(a).

Adopted: April 10, 2018, by the Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Filed: April 26, 2018, as R.2018 d.118, **without change**.

Authority: N.J.S.A. 39:2A-28 and 39:3-10.

Effective Date: May 21, 2018.

Expiration Date: December 4, 2020.

Summary of Public Comment and Agency Response:

The Motor Vehicle Commission (MVC) received one written comment regarding its December 4, 2017, proposal at 49 N.J.R. 3663(a), which is available for inspection at the Office of the Chief Administrator, Regulatory and Legislative Affairs, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey.

The submitted comment from Jean Publicee is summarized below and followed by the Commission's response thereto.

1. COMMENT: The commenter stated that limited English proficient applicants, as opposed to general New Jersey taxpayers, should bear the cost of the interpreter if assistance is needed. In addition, the commenter stated that there is a serious safety risk when a driver, who cannot read or write English, cannot understand the road signs. The commenter also stated that deaf or hard-of-hearing drivers are a danger on the roads. The commenter disagrees with N.J.A.C. 13:21-8.15(c), which allows an approved interpreter to provide instructions immediately before and immediately after the road test for a deaf or hard of hearing or limited English proficient applicant, stating that this subsection allows assistance for certain immigrants only.

RESPONSE: The adopted amendments are subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance, as well as corresponding regulations at 28 CFR Subpart 42.101. Similarly, the proposed amendments are also subject to Title II of the Americans with Disabilities Act, 42 U.S.C. 126, §§ 12101 et seq., which applies to State and local government bodies, and protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities. Therefore, no change was made to the proposal.

Federal Standards Statement

The adopted amendments are subject to, but do not exceed, Federal requirements or standards. As amended, the adopted rule is subject to Title II of the Americans with Disabilities Act, 42 U.S.C. 126, §§ 12101 et seq., which applies to State and local government bodies, and protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities. Similarly, it is subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance, as well as corresponding regulations at 28 CFR Subpart 42.101. The adopted amendments will provide for better access to interpreters for deaf or hard of hearing and limited English proficient applicants; the adopted amendments provide that the Commission will secure an interpreter for deaf or hard of hearing or limited English proficient applicants and translators for those with limited English proficiency.

Full text of the adoption follows:

SUBCHAPTER 7. SPECIAL LEARNER’S PERMITS

13:21-7.3 Road test appointment requirements

(a) Road test appointments may be granted and recorded on the special learner’s permit prior to the 17th birthday of the applicant provided that:

1. (No change.)
2. The student has passed the law-knowledge test administered by a representative of the Commission, and submits an approval certificate indicating that he or she has passed.
- 3.-5. (No change.)

SUBCHAPTER 8. DRIVER LICENSES

13:21-8.7 Law-knowledge tests; oral; English language; foreign language

(a) Oral tests shall be administered through the Driver and Road Test Scoring System (DARTSS) terminals at driving test centers to driver license applicants who are unable to read the English language or a foreign language or who experience difficulty in understanding the English language in such a manner that they are unable to complete the written test.

(b)-(d) (No change.)

(e) Foreign language oral testing shall be administered in the same manner as English language oral testing. The questions shall be read to the applicant in the applicant’s language through the DARTSS terminal from the standard computer test. If the DARTSS terminal does not provide the applicant’s specific language, the applicant shall inform the Commission of the need for an interpreter at least two weeks in advance

of the date the applicant intends to take the written knowledge test. The applicant shall call the Motor Vehicle Commission’s customer service phone number at (609) 292-6500 to request a foreign language interpreter. The Commission will secure an approved interpreter. The Commission will pay the interpreter’s fees after receipt of a properly executed payment voucher from the interpreter. The payment voucher must be on a form approved by the Commission.

(f) (No change.)

13:21-8.8 Special examination; deaf or hard of hearing

(a) A special test will be administered to driver license applicants who are deaf or hard of hearing and unable to read and understand the English or foreign language written test. The special test will be administered using American Sign Language through the Driver and Road Test Scoring System (DARTSS) terminal at the Commission’s driving test centers. If the applicant understands American Sign Language, the applicant must first attempt to complete the test using the DARTSS terminal. If the applicant’s first attempt to complete the test using the DARTSS terminal is unsuccessful, the Commission will secure an American Sign Language interpreter at the applicant’s request. If the applicant does not understand American Sign Language, the applicant is not required to attempt the test using the DARTSS terminal and may instead request an interpreter to administer the test to the applicant in the sign language the applicant understands. The applicant shall inform the Commission of the need for an interpreter at least two weeks in advance of the date the applicant will need an interpreter for the written law-knowledge test pursuant to this section. The applicant shall call the Motor Vehicle Commission’s customer service phone number at (609) 292-6500 to request an interpreter for the deaf or hard of hearing.

(b)-(e) (No change.)

(f) The Commission shall pay the interpreter’s fees plus \$0.31 per mile for travel over 25 miles round trip, after receipt of a properly executed payment voucher from the interpreter. The payment voucher must be on a form approved by the Commission. The supervisor shall ascertain the total hours of service and the miles traveled in excess of 25 miles. Approved interpreters shall be paid a minimum of two hours.

13:21-8.15 Accompanying driver

(a)-(b) (No change.)

(c) An approved interpreter may provide instructions to the applicant immediately before and immediately after the road test for a deaf or hard of hearing or limited English proficient applicant but shall not accompany the applicant in the vehicle during the road test. The applicant shall contact the Commission at least two weeks in advance of the scheduled road test date and advise the Commission that the applicant is in need of an interpreter. The Commission shall secure an interpreter. The Commission will pay the interpreter’s fees after receipt of a properly executed payment voucher from the interpreter. The payment voucher must be on a form approved by the Commission.

(d) (No change in text.)

(a)

MOTOR VEHICLE COMMISSION

**Notice of Readoption
Equipment for Emergency Vehicles and Other
Specified Vehicles**

Readoption: N.J.A.C. 13:24

Authority: N.J.S.A. 39:1-1, 39:2-3, 39:3-43, 39:3-50, 39:3-54, 39:3-54.7 et seq., and 39:3-69.

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Effective Date: April 26, 2018.

New Expiration Date: April 26, 2025.

Take notice that pursuant to the provisions of N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 13:24 were scheduled to expire on June 24, 2018. The purpose of these rules is to promote highway safety by setting forth